Steamship Company

TIME TABLE.

The steamers of this line will arrive and leave this port as hereunder: FROM SAN FRANCISCO. FOR SAN FRANCISCO.

SONOMAApr. 2 VENTURAApr. 2 • MARIPOSAApr. 13 MARIPOSAApr. 17 VENTURAApr. 23 SIERRAApr. 23 MARIPOSA May 8 SONOMA May 14 MARIPOSAMay 29 VENTURAJune 4 SONOMAJune 4 ************** ***************** . Local Boat.

In connection with the sailing of the above steamers the agents are prepared to issue, to intending passengers, coupon through tickets by any railroad from San Francisco to all points in the United States, and from New Nork by any steamship line to all European ports. FOR FURTHER PARTICULARS APPLY TO

Wm. G. Irwin & Co., Limited GENERAL AGENTS OCEANIC S. S. CO.

Pacific Mail Steamship Co.

Occidental and Oriental Steamship Co. 🔊 Toyo Kisen Kaisha

..... Steamers of the above companies will call at Honolulu and leave this port on or about the For San Francisco: For Japan and China:

H. Hackfeld & Co., Ltd., Agents.

Canadian - Australian Royal Mail Steamship Company. **Steamers of the above line, running in connection with the CANADIAN PACIFIC RAILWAY CO. setween Vancouver, B. C., and Sydney, N. S. W., and calling at Victoria, B. C., Honolulu and Brisban BVIK A. T. RONGEULU on or about the dates below stated viz:

FROM VANCUUVER AND VICTORIA, B. C. FROM SYDNEY AND BRISBANE For Victoria and Vancouver (B. C.):

Theo. H. Davies & Co., Ltd., Gen'l Agents.

American-Hawaiian S. S. Co.

Direct Service between

NEW YORK, PACIFIC COAST AND HAWAIIAN ISLANDS. S. S CALIFORNIAN, 6,000 tons, to sail early in April

s. S OREGONIAN, 6,000 tons, to sail S AMERICAN, 6,000 tons, to sail.....

S. S. HAWAIIAN, 6,000 tons, to sail Freight received at company's wharf. 42d Street, South Brooklin, at all times For further particulars apply to

C. P. MORSE.

Business Men Can Save Many Hours

General Freight Agent. H. HACKFELD & CO., LTD.,

Lines of Travel

NOINU

PACIFIC

San Francisco-Portland

THE TRAINS DAILY

TWO TRAINS DAILY

FROM PORTLAND

R. & L. Co.

TRAINS.

Daily

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A.M. A.M. A.M. P.M. P.M.

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TIME TABLE.

and After January 1, TRAINS.

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Wilder's Steamship Company

FOR ISLAND PORTS.

BRUCE CARTWRIGHT

General Manager of

The Rquitable Life Assurance Societ

Of the United States for the Hawaiisa

Agent.
G. P. DENISON, Superintendent

FREIGHT AND

PASSENGERS

TATIONS.

Beer and Wine Dealers.

The Orpheum Bar

Wines, Liquors, Btc. FOR SALE BY THE GLASS OR BOTTLE

J. K Merseberg. LOVEJOY & CO. IMPORTURE, AND WHOLESALE Wine and Liquor Dealers.

P. O. Box 137. Mutual Telephone 308. CONSOLIDATED

SODA WATER CO., Ltd. Esplanade,

Corner Allen and Fort Sts., Honolulu.

Only THREE DAYS to Chicago.
Only FOUR DAYS to Chicago.
Only FOUR DAYS to New York.
Pullman Palace Sleepers. Buffet, Smoking and Library Cars, with Barber Shop and Pleasant Reading Rooms.
Dining Cars (Meals a-la-carte)
Free Reclining Chairs.
Pullman Ordinary Sleepers.
J. H. LOTHROP, General Agent,
135 Third street, Portland, Oregon.
D. W. HITCHCOCK, General Agent,
No. 1 Montgomery St., San Francisco.
E. L. LOMAX, G. P. & T. A.,
Omaha, Nebraska. Gonsalves & Co.,

WHOLESALE GROCERS

AND WINE MERCHANTS.

225 Queen St., Honolulu, H. I

The Mint Saloon

WM. CUNNINGHAM, Prop.

On Nuuanu St., opposite Chaplain Lane f a fine drink of anything there

is in the city is wanted, the Mint is the place to go. A beer garden, a fine reading room, and a spacious and airy

bar room are just a few of the attractions.

If you call once, you will call

Hoffman Saloon

No Beer to Burn, But Beer to Beat the Band LARGE INVOICE OF

Olympia Beer-

IN DRAUGHT AND BOTTLE It has'nt come to stay; it's going fast, but there's more coming every month.

L. H. DEE, Prop.

RIGHTS OF GOVERNMENT TO GRANT FRANCHISE

Following is the Opinion Rendered by Attorney ritory in many ways, and to an extent which it is hardly possible to foresee. General Dole on the Right of the Superintendent of Public Works to Grant Rights to the exact dividing line between special privileges and franchises, and rights Century Telephone Company.

Territory of Hawaii, Office of the At | Secs. 1 and 2 of Chap. 45, Laws of

February 25, 1905.

Hon. J. A. McCandless, Superintendent of the laws of 1874 for what is the special privileges of operation to any derstood to be a franchise running the legraph company. Limited, a Hawaiian corporated in the company linear country of the laws of 1874 for what is the special privileges of operation to any derstood to be a franchise running to the laws of 1874 for what is the legraph company incorporated in the corporation. In the laws of 1874 for what is the special privileges of operation to any derstood to be a franchise running to the laws of 1874 for what is the laws

the Laws of 1874, to construct its tele-phone lines upon and along the high-low.") phone lines upon and along the high ways and public roads and across the lands and waters of the Territory," I have the honor at your request to submit the following opinion relative to your power in the premises:

to your power in the premises:
The question is logically divided into two questions: First—is this an application for a special privilege or dicates that the power was discretionfranchise such as the legislature itself cannot grant without the approval of Congress? Second—if it is, has the Superintendent of Public Works Interior to set apart public lands and greater power in the premises than highways and waterways sufficient make it of the premises than highways and waterways sufficient promulgated on December 31, has in-

ity, and in this country no franchise plied for, to whoever might ask it and can be held which is not derived from the law of the state." (Bank of Augnsta v. Earle, 13 Peters, 555). This grant it or withhold it as the public definition has been followed in numinterest might require. If this is so. the law of the state." (Bank of Aug. 1985). This usta v. Earle, 13 Peters, 595). This definition has been followed in number interest might require. If this is so, any such privilege of franchise grant-

"Generalized and divested of the ed by him would be special, not gen- and are disposed to work for it.

"Our aspirations appear clear and feudal traditions, a franchise is a right, privilege or power of public concern which ought not to be exercised by private individuals at their mere will and pleasure, but should be reserved for the public control and administration, either by the government directly or by public agents acting under such conditions and regulations as the government may impose in the public interest and for the public security. * * * No private person can take another's property even for a public security, which is the same as to say that the right of eminent domain can only be exercised by virtue of the legislative grant, this is a franchise. No persons can make themselves a body corporate in the definitions of a subject or politic without legislative authority. * Legislative grant chief where the subject is the subject of the public of the public security, which is the same as to say that the right of eminent domain can only be exercised by virtue of the legislative authority. Which is the same as to say that the right of eminent domain can only be exercised to the public interest and for the public without legislative authority. Which is the same as to say that the right of eminent domain can only be exercised to the property of the legislative authority. Which is the same as to say that the right of eminent domain can only be exercised to the same as to say that the right of eminent domain can only be exercised to the same as to say that the right of eminent domain can only be exercised to the same as to say that the right of eminent domain can only be exercised to the same as to say that the right of eminent domain can only be exercised to the same as the same as to say that the right of eminent domain can only be exercised to the same as to say that the right of eminent domain can only be exercised by the same as the same monarchical government based on endal traditions, a franchise is a

a public stream with the right to demand tolis or ferries, or to build a mill upon a public river and receive tolls for the grinding, etc.; but the franchise consists in the incorporeal right. The property acquired is in the franchise." Tuckahoe Canal Co. v. Tuckhoe R. R. Co., 11 Leigh (Va.)

78.

In Jersey City Gaslight Company vs.

duals," says Kent. "It is essential to the character of a franchise." says the Supreme Court of the United States, vistence and disposal." says the Supreme Court of the United States, is the character of a franchise." says the Supreme Court of the United States, v. Tuckhoe R. R. Co., 11 Leigh (Va.)

78.

United Gas Improvement Company. 6 Federal Reporter 264, a statute provided that: "Every telegraph, tele-phone, cable or electric light comric light com-company not ed or exercised without legislative auevery express owned by a railroad company and thority otherwise taxed; every gas company; or accident insurance company doing business in this state (New Jersey). except mutual fire insurance companies, which do not issue policies on the stock plan, shall pay an annual tax for the use of the state by way of license for its corporate franchise as thereinafter mentioned." It was held that this statute imposed license fees the exercise of corporate fran-

divided into general and people intended to leave it in the hands Special franchises corres of a single official deriving his authorthey are divided into corres.

one and withheld from another an a by the Supreme Court of the United matter of discretion, is, beyond quest States already cited indicate that they tion, special. Special is defined in the Century Dictionary as follows. "Of or pertaining to one or more of a kind; peculiar to an individual or a rightful they are "rightful subjects of set; not general; particular; individual."

States already cited indicate that they belong to the legislative rather than to the executive branch of government on American lines. If they are set; not general; particular; individual."

lege or franchise.

(Here the Attorney General quotes are the powers of the United States and are at all times subservient and are at all times subservient and



widual."

Messrs. Kinney. Ballou & McClanahan, who have furnished an able brief
in behalf of the applicant, claim that
they do not ask and that Chapter Xi.V
of the Laws of 1874 does not contem
plate, the granting of a special privilege or franchise.

(Here the Attorney General quotes are the powers of the United States.

der such limitations and control es Congress may determine." Goodson v. U. S. 54 Pac. Rep. 423. I think that the franchise applied for is special, not general. If it is special, although the Superintendent of Public Works is not in express in bottles.

subject to the national authority and

supreme law-making power of an in-dependent kingdom.

words forbidden to grant it, I think granting it by him would be contrary the spirit and purpose of the Or-

The application of Section 55 of the Organic Act relative to special or exclusive privileges, immunities or franchises a ects the powers of the legislative and executive branches of the territorial government, the material interests of the business community and the development of the Territorial many ways and to an extent of the purpose of amending the by-laws, etc. privileges and franchises, and rights which are not such special privileges or franchises and yet more or less closely resemble them. These questions will have to be met as they arise.

The foresting as to the planting mill business of the Enterprise Mill Co., Ltd., Alakes of the Enterprise Mill Co., Ltd., Alakes of the Enterprise Mill Co., Ltd., Alakes of the partonage of all former customers of the latter mill company.

torney General, Honolulu, H. I., 1874, authorizing and empowering the the application under Chapter XLV February 28, 1961.

The foregoing opinion is based on the application under Chapter XLV of the Laws of 1874 for what is understood to be a franchise running with the life of the corporation. evpress no opinion as to whether any

Very respectfully yours, E. P. DOLE. Attorney General.

Filipino Federal Party. Platform

Manila, Dec. 25.-The recently formed Federal party, whose platform was

the legislature has?

Section 55 of the Organic Act declares: "That the legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States locally applicable. * * But the legislature might ask for it.

Bighways and waterways sufficient for the use of any and every nome or stend to the following announcement: "It soon will be two years that this insurrection has gone on in the islands, and every day that passes convinces the Filipinos that the time for property to whoever might ask for it.

Section 367 of the Civil Code of the calculation will be two years that this insurrection has gone on in the islands, and every day that passes convinces the Filipinos that the time for peace has arrived and everyone knows the beautiful words of the celebrated that the convergence of the following announcement:

Section 55 of the Organic Act declares: "It soon will be two years that this insurrection has gone on in the islands, and every day that passes convinces the Filipinos that the time for peace has arrived and everyone knows the beautiful words of the celebrated that the convergence of the following announcement:

Section 55 of the Organic Act declares: "It soon will be two years that this insurrection has gone on in the islands, and every day that passes convinces the Filipinos that the time for peace has arrived and everyone knows the beautiful words of the celebrated that the convergence of the following announcement:

Section 55 of the Use of the following announcement:

Section 55 of the use of any and every nome or it soon will be two years that this insurrection has gone on in the islands. laws of the United States locally applicable. * * * But the legislature shall not grant to any corporation association or individual any special or exclusive privilege, immunity or franchise without the approval of Congress."

Blackstone defines a franchise as "a royal privilege or a branch of the king's prerogative subsisting in the hands of a subject."

Kent says: "Franchises are certain privileges conferred by grant from government and vested in individuals." (3 Kent's Comment. 458).

The Supreme Court of the United States defines franchises as follows: "Franchises are special privileges conferred by government upon individuals and which do not belong to citizens of the country, generally, of common right. It is essential to the character of a franchise that it should be a grant from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority, and in this country no franchise can be held which is not derived from the sovereign authority and in the legislature and control of the Civil Code of 1897 is as follows: "All public high ways are under the general supervision, charge and control of the Minister of the Interior. Superment supervision, charge and control of the Minister of the Interior of the Minister of the Minister of the Minister of the Interior in a supervision, charge and control of the Minister of the Superment supervision, charge and control of the Minister of the Minister

"For this we have the dear wish to propagate the idea of peace. We do not wish an egotistical grouping of politiclans, but we desire a reunion of all Filipinos who honestly wish for peace

"Our aspirations appear clear and are practically enunciated in our platform,

CAN'T EAT ONIONS

Chicago, Feb. 10.—The Chicago City Rallway Company, controling a large portion of the surface traffic of the city. speaking of franchises in another case already cited, "are under the control of the legislative department of the to going on duty. This order is the outcome of vigorous complaints made by fashionable female partons of the The Minister of the Interior derived road, who have informed the manageotherwise taxed; every gas company; are every palace or parlor or sleeping car authority to grant this special prival ment that they have not only been ancompany; and every oil or pipe line company; and every fire, life, marine or accident insurance company doing jet only to the Hawaiian Constitution. The Minister of the interior derived a three company and every palace or franchise solely from the Hawaiian legislature. At that time, subject only to the Hawaiian Constitution of the offensive vegetable has clung to their costumes, making them victims their costumes, making them victims are company; and every fire, life, marine waiian legislature was the company; and every oil or pipe line waiian legislature. At that time, subject only to the fire of the damage and the three company and every oil or pipe line waiian legislature. At that time, subject only to the fire of the damage and the three company and every oil or pipe line waiian legislature. At that time, subject only to the fire of the damage and the company and every oil or pipe line waiian legislature. At that time, subject only to the Hawaiian Constitution of the offensive vegetable has clung to their costumes, making them victims are company and every fire, life, marine waiian legislature. to horrible suspicions on the part of their friends at afternoon receptions and matinees.

The power to grant a special privilege immunity or franchise which The order, while not demanding that the Hawaiian legislature in 1874 dele-gated to the Minister of the Interior conductors abstain altogether from the and which it could have revoked at use of onlons, gives no time limitation. will, has been taken from the legisla- and the men will have to figure out for ture itself by ...e Organic Act. To themselves how many hours they may To themselves how many hours they may Where the words privilege and me it seems improbable that Congress, allow before going on duty for all tra-franchise are used, as they often are, while taking this power from the body in a broader and more popular sense, supposed to represent the will of the The employes are considerably employes are considerably wrought up over the attempt to circumof a single official deriving his authorpond to the definition of franchises ity in t e premises, not from Con-scribe their choice in the matter of given by the Supreme Court in Bank gress, but from the legislature of a food, and believe that the order is only of Augusta v. Earle, 13, Peters 595, above quoted.

"A special privilege or franchise is of the Territory shall extend to all of their personal liberty by grasping of the Territory shall extend to all corporations. They claim that if the Union Perry, 98 New York 139. Union Perry, 98 New York 139.

A privilege or franchise which, updated states locally apder like conditions may be given to the legislature. The definitions given ought to be shielded the company should go a step farther and order its 720 Beretania street; Tel. 1114. conductors to elect all who bear evidence that they are addicted to the habit, along with drunkards and similar public nuisances

> multitude of cases during the past six y years by PAIN-KILLER. This potent remedy rubbed vigorously in and around the suffering parts, will relieve all stiffness, reduce the swelling, and kill all pain. The most stubborn cases yield to this treatment when persevered in. Avoid substitutes, there is but one Pain-Killer, Perry Davis', 25c and 50c

> > SEATTLE BEER.

control. Its powers are all derived from Congress, and are exercised un-The ever popular Rainler over is becoming a household word and "will you have a glass of Scattle," is more often heard than anything else. The Criterion Saloon has the beer on tap or

Corporation Notices.

Secretary.

NOTICE.

of the latter mill company,
EMMETT MAY,
1716 tf W. H. G. ARNEMANN.

ASSESSMENT NOTICE.

Stockholders are hereby notified that the Stockholders are hereby notified that the FoufthAssessment of a per cent or two and one-half dollars per share on the Capital Stock of THE INTER ISLAND TELEGRAPH CO., LTD., is due and payable July 1st, at the office of the undersigned, 411 Fort street. J. H. FISHER. Actg. Treas. Inter Island Telegraph Co. Limited. Honolulu, June 1, 1900.

ANNUAL MEETING

The regular annual meeting of the stock-holders of the INTER ISLAND STEAM NAVIGATION CO., LTD., will be held at the office of the company, Queen street, on Tuesday, March 12, 1901, at 10 o'clock

C. H. CLAPP.

Secretary. Honolulu, Feb. 25, 1931. 1774-tå

Election of Officers.

At the Annual Meeting of the stockholdpeace has arrived and everyone knows the beautiful words of the celebrated the celebrate officers have been elected to serve for the

J. F. Hackfeld President H. A. Isenberg, Vice-president Geo, Rodiek. Treasurer F. Klamp. Secretary W. Ptotenhauer. Auditor

The above named officers also constitute the Board of Directors.

Secretary.

Legal Notices.

IN THE CIRCUIT COURT, FIRST CIRCUIT. Territory of Hawaii. In probate, at chambers. In the matter of the estate of P. Kamanawa. Kuahu, tau of Honolu'u, Oahu. The last will and testament of said Honold'u, Oahu, The last will and testament of said accessed having been presented to said court, together with a petition for the probate thereof, and forther issuance of letters bestamentary to Henry Maul Barling been filed, notice is bere y given that Friday, the 15th days of March, A D., 1907, at to, o clock a m, in the Judiciar-Building, Honolulu, is appointed the time and place for hearing said application, when ard where any person interested may appear ask show cause, if any they have, why the prayer of said petition should not be granted.

Honolulu, February 4, 19, 1.

By the Court,

A. G. KAULUKOU.

Notice to Creditors.

Letters Testamentary having been duly issued to the Undersigned as Executors of the Last Will and Testament of ROBERT G. RAHE, late of Honshila, Island of Loatu, territory of Hawaii, deceased, letter of the Robert G. Rahe, deceased, duly authenticated, whether secured by mortgage or otherwise, to the Undersigned of the offices in the City of Honolulu, or to Messar. Hoises, and Stanley, their Autorreys, at their Office on Kazhomanu street in the City of Honolulu, within SE MONTHS from the date of the first publication here of or they will be forever barred, and all persons indebted to said Estate are hereby requested to make immediate payment to the Undersigned.

Executors of the Last Will and Testament of Robert G. Rahe, deceased.

Honolulu, February th, 19 1. 1936-18.

Estate of William Dudley Hunt.

EXECUTRIX NOTICE TO CREDITORS.

The undersigned having been duly appointed Excutrix of the will of W.LLIAM DUDLEY HUNT, deceased, by order of Hon. A. S. Humphreys, Feet Judge of the First Circuit Court.

Notice is breeby given to all persons having claims against the said estate to present the same, (with proper vouchers, if any exist), duy authenticated, whether secured by mortgage or o between, to the undersigned, at the office of Pourson & Matthewman, Aburneys, as Keahumann street, Honolula, Oaka, within six months from this date, or they will be forever barred.

All persons in lebted to said estate are requested in

ewer burred.
All persons indebted to said estate are requested a
make settlement with the undersigned.
BECKY A. HUNT.
Executrix of the will of William Dudley Hunt.
Dated Hon-lulu. T. H., February 20, 1801.
1370-41-52, 1, 8, 4,

Luau and Fair

FOR THE BENEFIT OF THE Kapiolani Maternity Home Annex

Saturday,

To be held on the grounds of the KAPIOLANI MATERNITY HOME. Beginning at 12 o'clock, noon.

March 16, 1901.

GENERAL ADMISSION \$1.00. CHILDREN UNDER 12, 50 CENTS

Mrs. Annis Montague Turner, WINTER SEASON.

Vocal Studio, "Mignon"

E. K. KAAI,

Feacher of " .. dar, Mandolin, Etther Ukuiele and Tare Patch.

Orders to be left cure of Wall, Nichola Seventrom Music Co. in 1986

M. PHILLIPS & CO

Wholesale Importers and Jobber suropean and American Dry Suca

Fo t and Queen Streets. H. HACKFELD & CO., L&

ENERAL COMMISSION AGENTS

or. Fort and Queen Streets Loucke